

3602. Misbranding of Wonder salve. U. S. v. 22 Jars, etc. (F. D. C. No. 30969. Sample Nos. 11097-L, 11098-L.)

LABEL FILED: June 29, 1951, Western District of Kentucky.

ALLEGED SHIPMENT: On or about February 9 and 28, 1951, by the Brookgate Remedies Co., from Evansville, Ind.

PRODUCT: 22 2-ounce jars and 7 12-ounce jars of *Wonder salve* at Owensboro, Ky. Examination showed that the product consisted of phenols, including not less than 3.9 percent of carbolic acid, camphor and turpentine oil in an ointment base.

NATURE OF CHARGE: Misbranding, Section 502 (a), the label statements "For Use In Treatment of * * * Bruises, Inflammations, and Infections * * * so compounded as to be absolutely harmless unless the user is allergic to one of the * * * ingredients" were false and misleading since the article was not absolutely harmless and was not an adequate and effective treatment for bruises, inflammations, and infections; and, Section 502 (j), the article was dangerous to health when used as recommended in the labeling, namely, "Apply Salve Generously to Affected Parts and Bandage."

DISPOSITION: August 30, 1951. Default decree of condemnation and destruction.

DRUGS ACTIONABLE BECAUSE OF FAILURE TO BEAR ADEQUATE DIRECTIONS OR WARNING STATEMENTS*

3603. Misbranding of pentobarbital sodium capsules and dextro-amphetamine sulfate tablets. U. S. v. John H. Drake and William H. Childers. Pleas of guilty. Sentence of 12 months and fine of \$500 against William H. Childers; execution of sentence suspended and defendant placed on probation for 3 years. John H. Drake fined \$150 and placed on probation for 2 years. (F. D. C. No. 30620. Sample Nos. 82196-K, 93245-K, 93251-K, 93254-K.)

INFORMATION FILED: September 5, 1951, Northern District of Georgia, against John H. Drake, manager of Drake's Pharmacy, East Point, Ga., and against William H. Childers, a pharmacist employed in the store.

INTERSTATE SHIPMENT: From the States of Illinois and Pennsylvania into the State of Georgia, of quantities of *pentobarbital sodium capsules* and *dextro-amphetamine sulfate tablets*.

ALLEGED VIOLATION: On or about November 2, 13, 17, and 22, 1950, while the drugs were being held for sale at Drake's Pharmacy after shipment in interstate commerce, quantities of the drugs were repacked and dispensed without a physician's prescription.

William H. Childers in 3 counts of the information and John H. Drake in 1 count were charged with causing the acts of repacking and dispensing the repackaged drugs.

NATURE OF CHARGE: Misbranding, Section 502 (b) (2), the repackaged drugs failed to bear labels containing statements of the quantity of the contents; and, Section 502 (f) (1), the labeling of the repackaged drugs failed to bear any directions for use.

*See also No. 3601.